

REMARKS

Claims 4 and 5 are pending.

Claims 4 and 5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Imanari et al (US 7,011,770).

Imanari et al issued on March 14, 2006, which is later in time than June 3, 2004 PCT filing date of the present application.

If it qualifies as prior art, Imanari et al is thus prior art with respect to the present application solely under § 102(e), as of its U.S. filing date of March 22, 2004.

To remove Imanari et al as prior art under § 102(e) for purposes of § 103, Applicants provide a statement of common ownership, as follows:

Statement of Common Ownership:

The present application and Imanari et al were, at the time the invention of the present application was made, commonly owned by SUMITOMO CHEMICAL COMPANY, LIMITED.

In view of this statement of common ownership, Imanari et al is disqualified as prior art for purposes of section 103 with respect to the present application. See 35 U.S.C. § 103(c).

Accordingly, the Examiner is respectfully requested to withdraw the section 103 rejection based on Imanari et al.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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